

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to: No. 18-cv-4899.

MASTER DOCKET

18-md-2865 (LAK)

STIPULATION AND [PROPOSED] ORDER OF PARTIAL VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(2)

WHEREAS Plaintiff Skatteforvaltningen (“SKAT”) has asserted claims against Defendants Sander Gerber and the Sander Gerber Pension Plan (together, the “Gerber Defendants”) in the action titled *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899;

WHEREAS SKAT and the Gerber Defendants have now entered into a settlement agreement resolving those claims;

WHEREAS SKAT wishes to voluntarily dismiss with prejudice the Gerber Defendants from *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure;¹

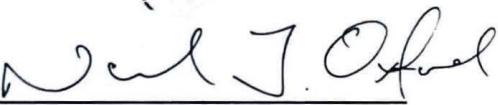
WHEREAS the dismissal is not intended to affect any of the claims asserted against Defendant John Doscas in the action captioned *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899, or any other action;

¹ SKAT has in the past voluntarily dismissed claims against certain parties by stipulation pursuant to Fed. R. Civ. P. 41(a)(1)(A), *see, e.g.*, Stipulation and Order of Partial Voluntary Dismissal, ECF No. 902. This rule, however, requires the signature of “all parties who have appeared.” Because Defendant John Doscas has declined to sign such a stipulation, SKAT and the Gerber Defendants request that the Court order the current stipulation under Rule 41(a)(2).

IT is therefore STIPULATED AND AGREED that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Gerber Defendants are dismissed with prejudice from the action *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899; and

IT is further STIPULATED AND AGREED that SKAT's claims against Defendant John Doscas remain active in the action captioned *SKAT v. Sander Gerber Pension Plan, et al.*, No. 18-cv-4899.

Dated: New York, New York
March 20, 2024

By: 
Neil J. Oxford

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SO ORDERED:

Hon. Lewis A. Kaplan
United States District Judge